	Application No.	Applicant(s)
	10/750,314	JOHRI, PRAVIN K.
Notice of Allowability	Examiner	Art Unit
	Scott M. Sciacca	2146

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed on 12/27/2007* .

2. ☒ The allowed claim(s) is/are *3-5,7,9,13 and 18*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20080320* .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

/Scott M. Sciacca/
Examiner, Art Unit 2146

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Kin-Wah Tong (Reg. No. 39,400) on 3/20/2008.

Claims 3, 7, 9, 13 and 18 have been amended as follows:

3.   (Currently Amended) A method for assisting capacity planning in a network

having a plurality of links, said method comprising the steps of:

determining spare capacity on at least one link of the network, where said spare

capacity is representative of an existing capacity plus an augmented capacity minus a

bandwidth of all circuits routed on said at least one link of the network;

<u>applying a benefit weight to said spare capacity;</u>

computing an overall cost in accordance with said spare capacity for provisioning

a circuit on said at least one link of the network, wherein said computing step

comprises:

minimizing a function of $\Sigma c_j x_j - \Sigma s_j b_j$, to obtain said overall cost, where s_j

represents said spare capacity for a link j, where b_j represents said benefit weight

for said link j, where x_j represents said augmented capacity for said link j, and

where c_j represents a cost for said link j; and ~~applying a benefit weight to said~~

~~spare capacity.~~

<u>outputting said overall cost to an output device.</u>

7.   (Currently Amended) A method for assisting capacity planning in a network

having a plurality of links, said method comprising the steps of:

determining spare capacity on at least one link of the network, where said spare

capacity is representative of an existing capacity plus an augmented capacity minus a

bandwidth of all circuits muted on said at least one link of the network;

~~computing an overall cost in accordance with said spare capacity for provisioning~~

~~a circuit on said at least one link of the network; and~~

applying a benefit weight to said spare capacity, wherein said benefit weight

accounts for a cost for financing said augmented capacity, wherein said benefit weight,

b_j, is expressed as:

$$b_j = c_j - \alpha \, p \, n \, c_j = c_j (1 - \alpha \, p \, n)$$

where c_j represents a cost for a link j, where α represents an interest rate for capital per

unit time, where n represents a number of capacity planning periods, and where p

represents a length of said capacity planning period;

<u>computing an overall cost in accordance with said spare capacity for provisioning</u>

<u>a circuit on said at least one link of the network; and</u>

<u>outputting said overall cost to an output device.</u>

9.   (Currently Amended) A method for assisting capacity planning in a network

having a plurality of links, said method comprising the steps of:

determining spare capacity on at least one link of the network, where said spare

capacity is representative of an existing capacity plus an augmented capacity minus a

bandwidth of all circuits routed on said at least one link of the network;

~~computing an overall cost in accordance with said spare capacity for provisioning~~

~~a circuit on said at least one link of the network; and~~

applying a benefit weight to said spare capacity, wherein said benefit weight

accounts for a discount period, wherein said benefit weight, b_j, is expressed as:

$$b_j = c_j - \alpha \, q_j \, c_j = c_j \, (1 - \alpha \, q_j)$$

where c_j represents a cost for a link j, where α represents an interest rate for capital per

unit time, and where q_j represents said discount period<u>;</u>

<u>computing an overall cost in accordance with said spare capacity for provisioning</u>

<u>a circuit on said at least one link of the network; and</u>

<u>outputting said overall cost to an output device.</u>

13.   (Currently Amended) An apparatus for assisting capacity planning in a network

having a plurality of links, comprising:

means for determining spare capacity on at least one link of the network, where

said spare capacity is representative of an existing capacity plus an augmented

capacity minus a bandwidth of all circuits routed on said at least one link of the network;

<u>means for applying a benefit weight to said spare capacity; and</u>

means for computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network, wherein said computing means minimizes a function of $\Sigma\, c_j\, x_j - \Sigma\, s_j\, b_j$, to obtain said overall cost, where s_j represents said spare capacity for a link j, where b_j represents said benefit weight for said link j, where x_j represents said augmented capacity for said link j, and where c_j represents a cost for said link j; and means for applying a benefit weight to said spare capacity.

18.   (Currently Amended) A computer-readable medium having stored thereon a   . plurality of instructions, the plurality of instructions including instructions which, when executed by a processor, cause the processor to perform the steps comprising of:

determining spare capacity on at least one link of the network, where said spare capacity is representative of an existing capacity plus an augmented capacity minus a bandwidth of all circuits routed on said at least one link of the network;

applying a benefit weight to said spare capacity; and

computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network, wherein said computing step comprises:

minimizing a function of $\Sigma\, c_j\, x_j - \Sigma\, s_j\, b_j$, to obtain said overall cost, where s_j represents said spare capacity for a link j, where b_j represents said benefit weight for said link j, where x_j represents said augmented capacity for said link j, and

where c_j represents a cost for said link j, and applying a benefit weight to said spare capacity.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Sciacca whose telephone number is (571) 270-1919. The examiner can normally be reached on Monday thru Friday, 7:30 A.M. - 5:00 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott M. Sciacca/

Examiner, Art Unit 2146

/JEFF PWU/
Supervisory Patent Examiner, Art Unit 2146